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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,995	11/21/2001	Heikki Kokkinen	367.40890X00	9518
27433	7590	04/25/2006	EXAMINER	
FOLEY & LARDNER LLP 321 NORTH CLARK STREET SUITE 2800 CHICAGO, IL 60610-4764			HAMZA, FARUK	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/988,995	KOKKINEN ET AL.	
	Examiner	Art Unit	
	Faruk Hamza	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-34 is/are pending in the application.
- 4a) Of the above claim(s) 25 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-24 and 27-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to RCE

1. This action is responsive to the RCE filed on March 22, 2006. Claims 1-14 have been canceled. Claims 15, 21 and 23 have been amended. Claims 25-26 have been withdrawn. Claims 27-34 have been newly added. Claims 15-34 are now pending.

2. This application contains claims 25 and 26 drawn to an invention nonelected. Claims 25-26 are written in the form of independent claim. Therefore, 25-26 are not dependent on claim 15. A complete reply to the rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S.

patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 15-21,27,29 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Hiatt (U.S. Patent Number 6,795,408) hereinafter referred as Hiatt.

Hiatt teaches the invention as claimed including an improved technique for networking multiple users for retrieving data information from various data sources provides a less costly method for retrieving information while aboard a transportation vehicle (See abstract).

As to claim 15, Hiatt teaches a server for use in a vehicle including a first wireless interface providing a connection on a customer basis, for local user terminals to the server, to enable access to local content on the server, a second wireless interface providing a connection to an external mobile network to enable access to remote content on remote servers, and a third wireless interface for providing a broadband connection to an external network to enable access to remote content on remote servers, wherein if access to a remote server is requested, the server first attempts to connect to the remote server via the third wireless interface, and if the third wireless interface cannot establish a connection

with the remote server, the server attempts to connect to the remote server via the second wireless interface (Column 7, lines 11-Column 10, lines 25, Hiatt discloses interface to access local content on the server and access remote content from remote server and broadband connection).

As to claim 16, Hiatt teaches a server as in claim 15, comprising detection means for determining a presence of an external network capable of making a broadband connection with the third wireless interface (Column 7, lines 11-Column 10, lines 25).

As to claim 17, Hiatt teaches a server as in claim 16, comprising access control means, responsive to the detection means, for determining utilization of the second and third interfaces (Column 7, lines 11-Column 10, lines 25).

As to claim 18, Hiatt teaches a server as in claim 17, comprising content update means for updating the local content on the server via the third wireless interface (Column 7, lines 11-Column 10, lines 25).

As to claim 19, Hiatt teaches a server as claimed in claim 15 comprising a computer programmed to operate as a world wide web server and including first and second network data adapters providing the first and second wireless interfaces, respectively (Column 7, lines 11-Column 10, lines 25).

As to claim 20, Hiett teaches a server as claimed in claim 19, wherein a third network data adapter provides the third wireless interface (Column 7, lines 11-Column 10, lines 25).

As to claim 21, Hiett teaches the method of claim 27, further comprising providing content located locally in the server and content located in the remote server and accessed by the second wireless interface, updating the local content via the third wireless interface capable of making a broadband connection with an external network, wherein the local and remote content are accessible by local customer terminals via the first wireless interface (Column 7, lines 11-Column 10, lines 25).

As to claim 27, Hiett teaches A method of providing content using a server, which is installed in a vehicle, including a first wireless interface providing a connection to local customer terminals and a second and third wireless interfaces providing a connection to an external mobile network, comprising:

receiving a request via the first wireless interface from a local customer terminal to access a remote server (Column 7, lines 11-Column 10, lines 25);

attempting to establish a connection with the remote server via the third interface (Column 7, lines 11-Column 10, lines 25);

if the third interface establishes a connection with the remote server, permitting the local customer terminal to access the remote server (Column 7, lines 11-Column 10, lines 25); and

if the third interface is unable to establish a connection with the remote server, attempting to establish a connection with the remote server via the second interface (Column 7, lines 11-Column 10, lines 25).

As to claim 29, Hiett teaches the method of claim 27, wherein the third wireless interface comprises a Hiperlan Wireless LAN interface (Column 7, lines 42-50).

Claim 34 does not teach or define any new limitation other than above claim 29 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiett (U.S. Patent Number 6,795,408) as applied above, and further in view of Eranko (U.S. Patent Number 6,801,934).

Hiatt teaches the invention substantially as claimed including an improved technique for networking multiple users for retrieving data information from various data sources provides a less costly method for retrieving information while aboard a transportation vehicle (See abstract).

As to claim 23, Hiatt teaches a method as claimed in claim 27 (Column 7, lines 11-Column 10, lines 25)

Hiatt does not explicitly teach the claim limitation of generating revenue for service.

However, Eranko teaches generating revenue for service (Column 2, lines 58-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hiatt by adding charging capability, which enhance the efficiency of the system. One would be motivated to do so to improve system's capability and make the system more profitable.

As to claim 24, Hiatt teaches a method as claimed in claim 23, wherein the server provides an internet portal to the customers (Column 7, lines 11-Column 10, lines 25).

Hiatt does not explicitly teach the claim limitation of charging.

However, Eranko teaches charging for service (Column 2, lines 58-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hielt by adding charging capability, which enhance the efficiency of the system. One would be motivated to do so to improve system's capability and make the system more profitable.

5. Claims 22,28 and 30-33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hielt as applied above, and further in view of Official Notice.

As to claim 22, Hielt teaches a method as claimed in claim 21 (Column 7, lines 11-Column 10, lines 25).

Hielt does not explicitly teach the claimed limitation restricting access to content on remote server of customer's terminal.

However, "Official Notice" is taken that restricting access to content on remote server of customer's terminal is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hielt by adding restricting access to content on remote server of customer's terminal functionality, which will limit the customers access to the content. One would be motivated to do so to enhance system's protection.

As to claims 28 and 30-33, Hielt teaches different wireless interfaces (Column 7, lines 11-Column 10, lines 25).

Hielt does not explicitly teach the claimed limitation of broadband, Bluetooth and WCDMA interface.

However, "Official Notice" is taken that broadband, Bluetooth and WCDMA interface is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hiatt by adding broadband, Bluetooth and WCDMA interface, which will ease users wireless communication. One would be motivated to do so to enhance system's usability.

Response to Arguments

6. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Hiatt (U.S. Patent Number 6,477,152) discloses method for data communications.
 - Mitchell (U.S. Patent Number 6,741,841) discloses dual receiver for a on-board entertainment.
 - Bastian et al. (U.S. Patent Number 6,757,712) discloses communications system for aircraft.
 - Weinberger et al. (U.S. Patent Number 7,028,304) discloses a passenger entertainment system.

- Dutta et al. (U.S. Patent Number 5,953,219) discloses wide area mobile communications system.
- Schillaci et al. (U.S. Patent Number 5,703,929) discloses wireless-wire line communication selection system

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

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SALEH NAJJAR
SUPERVISORY PATENT EXAMINER